

UTILITY PATENT APPLICATION TRANSMITTAL (Small Entity)

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Docket No.
WD2-98-092

Total Pages in this Submission

TO THE ASSISTANT COMMISSIONER FOR PATENTS

Box Patent Application
Washington, D.C. 20231

Transmitted herewith for filing under 35 U.S.C. 111(a) and 37 C.F.R. 1.53(b) is a new utility patent application for an invention entitled:

SYSTEM AND METHOD FOR MAILING LIST TESTING SERVICE

and invented by:

Jay S. WALKER, Magdalena MIK, Daniel E. TEDESCO, Dean ALDERUCCI

If a **CONTINUATION APPLICATION**, check appropriate box and supply the requisite information:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: _____

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Enclosed are:

Application Elements

1. ☐ Filing fee as calculated and transmitted as described below
2. ☒ Specification having 29 pages and including the following:
 - a. ☒ Descriptive Title of the Invention
 - b. ☐ Cross References to Related Applications (if applicable)
 - c. ☐ Statement Regarding Federally-sponsored Research/Development (if applicable)
 - d. ☐ Reference to Microfiche Appendix (if applicable)
 - e. ☒ Background of the Invention
 - f. ☒ Brief Summary of the Invention
 - g. ☒ Brief Description of the Drawings (if drawings filed)
 - h. ☒ Detailed Description
 - i. ☒ Claim(s) as Classified Below
 - j. ☒ Abstract of the Disclosure

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Application Elements (Continued)

3. ☒ Drawing(s) (when necessary as prescribed by 35 USC 113)
- a. ☒ Formal b. ☐ Informal Number of Sheets 12
4. ☒ Oath or Declaration
- a. ☒ Newly executed (original or copy) ☐ Unexecuted
- b. ☐ Copy from a prior application (37 CFR 1.63(d)) (for continuation/divisional application only)
- c. ☒ With Power of Attorney ☐ Without Power of Attorney
- d. ☐ DELETION OF INVENTOR(S)
Signed statement attached deleting inventor(s) named in the prior application,
see 37 C.F.R. 1.63(d)(2) and 1.33(b).
5. ☐ Incorporation By Reference (usable if Box 4b is checked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under
Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby
incorporated by reference therein.
6. ☐ Computer Program in Microfiche
7. ☐ Genetic Sequence Submission (if applicable, all must be included)
- a. ☐ Paper Copy
- b. ☐ Computer Readable Copy
- c. ☐ Statement Verifying Identical Paper and Computer Readable Copy

Accompanying Application Parts

8. ☒ Assignment Papers (cover sheet & documents)
9. ☐ 37 CFR 3.73(b) Statement (when there is an assignee)
10. ☐ English Translation Document (if applicable)
11. ☒ Information Disclosure Statement/PTO-1449 ☒ Copies of IDS Citations
12. ☐ Preliminary Amendment
13. ☒ Acknowledgment postcard
14. ☒ Certificate of Mailing
- ☐ First Class ☒ Express Mail (Specify Label No.): EL287073035

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Accompanying Application Parts (Continued)

15. ☐ Certified Copy of Priority Document(s) (if foreign priority is claimed)
16. ☒ Small Entity Statement(s) - Specify Number of Statements Submitted: 1
17. ☐ Additional Enclosures (please identify below):

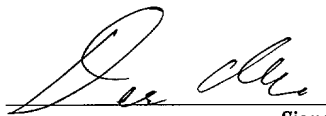
Fee Calculation and Transmittal

CLAIMS AS FILED

For	#Filed	#Allowed	#Extra	Rate	Fee
Total Claims	59	- 20 =	39	x \$9.00	\$351.00
Indep. Claims	6	- 3 =	3	x \$39.00	\$117.00
Multiple Dependent Claims (check if applicable) <input type="checkbox"/>					\$0.00
BASIC FEE					\$380.00
OTHER FEE (specify purpose)					\$0.00
TOTAL FILING FEE					\$848.00

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 - ☐ Charge the issue fee set in 37 C.F.R. 1.18 at the mailing of the Notice of Allowance, pursuant to 37 C.F.R. 1.311(b).

Dated: March 11, 1999


Signature

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CC:

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27 (c)) - SMALL BUSINESS CONCERN**

Docket No.
WD2-98-092

Serial No.
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Applicant/ **Jay S. WALKER et al.**
Patentee:

Invention: **SYSTEM AND METHOD FOR MAILING LIST TESTING SERVICE**

I hereby declare that I am:

- ☒ the owner of the small business concern identified below:
☐ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN: **WALKER DIGITAL CORPORATION**

ADDRESS OF CONCERN: **Five High Ridge Park, Stamford, Connecticut 06905-1326**

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 37 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the above identified invention described in:

- ☒ the specification filed herewith with title as listed above.
☐ the application identified above.
☐ the patent identified above.

If the rights held by the above-identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed on the next page and no rights to the invention are held by any person, other than the inventor, who could not qualify as an independent inventor under 37 CFR 1.9(c) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☒ no such person, concern or organization exists.
☐ each such person, concern or organization is listed below.

FULL NAME _____

ADDRESS _____

☐ Individual ☐ Small Business Concern ☐ Nonprofit Organization

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ADDRESS _____

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Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

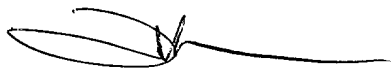
NAME OF PERSON SIGNING: Jay S. Walker, President, Walker Digital Corporation

TITLE OF PERSON SIGNING _____

OTHER THAN OWNER: _____

ADDRESS OF PERSON SIGNING: 124 Spectacle Lane, Ridgefield, Connecticut 06877

SIGNATURE: _____



DATE: March 5, 1999

SYSTEM AND METHOD FOR MAILING LIST TESTING SERVICE

The present invention relates to direct-marketing mailing lists. In particular, the present invention relates to systems and methods for selecting appropriate direct-marketing mailing lists.

BACKGROUND OF THE INVENTION

Marketing Logistics, a research firm that monitors the direct marketing industry, reports that mail order sales of personal computers, consumer electronics and related products reached \$1.5 billion in 1985. Business-to-business mail order sales for computer software and data processing supplies for the same year were \$1.7 billion. The Direct Marketing Association, a trade group, reports that revenue from direct marketing for all product categories, now around \$44 billion, is growing 10 percent a year -- about twice as fast as retail.

Many businesses practice direct marketing by utilizing commercially-obtained mailing lists. These lists can be obtained from mailing list brokers such as Best's Mailing List, Inc. (<http://www.bestmailing.com/> ; visited on February 24, 1999) or Nationwide Data Services (<http://www.nationwidedata.com/> ; visited on February 14, 1999). Such mailing lists are typically compiled from various sources such as public real-estate documents, census bureaus, financial publications, and direct mail respondents. Members of the list, that is, people whose information is used to compile the list, typically consist of individuals who have provided information about their lifestyles and product usage through detailed surveys. For example, computer hardware or software purchasers that send in software and hardware vendor registration cards and surveys are typically placed on a mailing list geared towards the PC and technology industry.

Mailing list brokers exist and can supply a business with a multitude of lists from which to choose. Additionally, mailing list brokers can supply a business with lists of different formats, and try to accommodate the business's preferences. Alternatively, businesses can obtain personalized mailing lists geared towards their needs by consulting with a mailing list manager directly rather than going through a broker. The business then utilizes these mailing lists by sending out promotional items such as brochures,

advertisements, or sale offers to persons included on the lists.

Businesses typically consider finding appropriate lists a problem. Also, skyrocketing paper prices and production expenses, as well as rising postage prices, have made it increasingly difficult to do cost-effective mailings. It is believed that the choice of mailing list is one of the most critical factors related to the success of a direct marketing campaign. This is because the best list can often result in ten times the response as the worst list for an identical mailing piece.

Unfortunately, approximately 40,000 different mailing lists exist that are available for rental today, making it difficult to pick the most appropriate list, and expensive to try multiple lists. Because of this, a business will typically purchase a mailing list without any indication of how successful the list will be for the business's particular purposes. Mailing lists are generally updated based on the responses of the individuals included on a mailing list. For example, if an individual on a mailing list has not responded to any mailings in the past year, he can be taken off the mailing list. In the meantime, however, businesses are purchasing mailing lists without being able to predict the number of responses to be expected from a given list. The most that a business or mailing list broker knows is the historical response rate of the individuals contained on the list to direct mailings of a general nature. There is no way for a business to judge just how effective a mailing list is for their particular product or service until the list is actually used.

Internet based mailing lists which include e-mail addresses for direct marketing are also becoming popular. This type of direct marketing offers several advantages over postal marketing. For example, e-mail campaigns can be set up and executed in a relatively short amount of time, and can begin to generate responses almost immediately. Also, it is possible to deliver several hundred thousand e-mails an hour and to easily track all phases of the status of delivery and response from a mailer's desktop. The impact of a direct marketing e-mail mailing is not nearly as high as that of a postal mailing, however. The postal mailing is a more tangible good in the prospective consumer's hand. Also a person is more likely to flip through a longer brochure at home than to click through one at their PC terminal. Thus, e-mail can be an excellent vehicle for relatively small brochures, but the postal mailing remains the most effective process for attracting the buying power of a consumer.

Thus, a need exists for a business to be able to efficiently and cost-effectively

select an appropriate postal mailing list before investing a large amount of resources into utilizing the mailing list.

SUMMARY OF THE INVENTION

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To alleviate the problems inherent in the prior art, the present invention discloses systems and methods for creating and selecting a mailing list.

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In one embodiment of the present invention, a method for providing a mailing list test service is disclosed. This mailing list test service tests a plurality of mailing lists, each mailing list including information about a plurality of list members. To perform the test, a computer-based message, such as an electronic mailing (e-mail), is sent to each of a subset of list members for each mailing list. At least one response from a list member is received, and based on the received responses, one of the mailing lists is selected for use in a postal mailing campaign.

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BRIEF DESCRIPTION OF THE DRAWINGS

Figure 1 is a block diagram overview of the system of the present invention.

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Figure 2 is a schematic block diagram of the central server according to an embodiment of the present invention.

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Figure 3 is a tabular representation of a mailing list database according to an embodiment of the present invention.

Figure 4 is a tabular representation of a recipient database according to an embodiment of the present invention.

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Figure 5A is a tabular representation of a test database according to an embodiment of the present invention.

Figure 5B is a tabular representation of a test database and exemplary records from a questions database according to an embodiment of the present invention.

Figure 6A is a tabular representation of a transaction database according to an embodiment of the present invention.

Figure 6B is a tabular representation in which test e-mails can be used to get feedback on the potential postal mailings.

Figure 7 is a flow chart of a method of practicing an embodiment of the present invention.

Figure 8 is a flow chart depicting an exemplary method of creating a test e-mail according to an embodiment of the present invention.

Figure 9 is a flow chart depicting an exemplary method of receiving a response to a test e-mail according to an embodiment of the present invention.

Figure 10 is a flow chart depicting an exemplary method of analyzing the results of a test e-mail and selecting the most effective postal mailing list to use according to an embodiment of the present invention.

DETAILED DESCRIPTION

The present invention is a method and system for providing a mailing list test service. As a contextual example, but not the only example, of the present invention, consider a small business that desires to directly market its goods by mailing brochures to potential customers. This small business can employ the service of a mailing list broker and select one of the many mailing lists to use in its marketing efforts. Of course, as discussed above, selecting the appropriate list is crucial in the business's marketing efforts, and so the small business is faced with making a guess as to which mailing list would be most effective for their particular product.

To avoid such guesswork, the small business can employ the services of a mailing list broker that practices the present invention. This mailing list broker can use e-mail lists that correlate to postal mailing lists to pre-test the effectiveness of the postal mailing list. Because of this correlation, e-mail lists serve as a reliable response predictor of its associated postal mailing list. In this contextual example, e-mail-list corresponds to members of a postal mailing list. That is, for each e-mail address there is an individual postal mailing address contained in the mailing list. For example, e-mail addresses may be stored in a database in association with the postal mailing address of each list member in a particular postal mailing list. A subset of list members may then be selected from the list and a test e-mail will be sent to those selected list members. The subset of list members can be selected randomly, or can be selected with an eye toward various factors such as the demographics of the particular members, because the postal mailing lists are

already compiled based on such factors. In addition, a business can often narrow their choice of postal mailing lists to a few that generally match a business's needs, because postal mailing lists often include people of a certain age bracket, geographical area, or with a certain purchasing history.

5 A broker selling mailing lists can offer to pretest some of the possible lists for a prospective buyer/renter in order to assure them that they are getting the best list for their money. A broker can charge a small fee or provide the service for free. Alternatively, the broker may inflate the fee associated with the resultant mailing list.

10 As another contextual example, consider a world-renowned author who has recently published his latest book on cryptography. Rather than spending a lot of money on a mailing list without any indication of its effectiveness, the author decides to pre-test several possible mailing lists. The author picks lists A, B, C, and D to pretest. A subset of individuals from each list is selected. A test e-mail is sent to these individuals, in which the e-mail contains an offer for a free newsletter on cryptography written by the author. The response rate (i.e. number of people accepting the offer) of each mailing list is then compiled and the list with the highest response rate is chosen as the best one to be purchased/rented by the author.

15 Turning now in detail to the drawings, Figure 1 is a system overview of an embodiment of the present invention. In this embodiment, central server 100 provides the mailing list test service. Central server 100 can send an e-mail to user terminal 101, user terminal 102, user terminal 103, utilizing, for example, bulk e-mail software such as that available from Acxiom/Direct Media, Inc., a provider of online direct marketing management software. Each of the user terminals 101, 102 and 103 correspond to postal mailboxes 101a, 102a, and 103a, respectively. In other words, the person who receives e-mail at user terminal 101 also receives postal mail at postal mailbox 101a, the person who receives e-mail at user terminal 102 also receives postal mail at postal mailbox 102a, and the person who receives e-mail at user terminal 103 also receives postal mail at postal mailbox 103a. The owners of postal mailboxes 101a, 102a and 103a are part of a single mailing list, which typically includes other members.

20 25 30 After sending test e-mails to user terminals 101, 102 and 103, central server 100 may receive one or more responses to the test e-mails from some or all of the user terminals 101, 102, and 103. This action is performed for a number of mailing lists, and

based on the responses received by central service 100, an appropriate mailing list is selected for use.

According to one embodiment of the present invention, all the test e-mails sent to list members include the same content. In another embodiment of the present invention,
5 the test e-mails sent to list members can include different content for different list members.

There are a variety of ways of detecting responses to, or interest in, the subject matter of the e-mail in order to determine the expected effectiveness of the associated postal mailing lists. In one embodiment of the present invention, the central server 100
10 detects whether recipients of the test e-mails have responded by detecting whether they have replied to the e-mail (e.g., by using the "Reply" button). In another embodiment of the present invention, the e-mail can include a Universal Resource Locator (URL) to the Web site of the business for which the test is being performed. The URL in the test e-mail can contain an identifier that allows the central server 100 to detect that access via that
15 URL is directed from a test e-mail. The URL embedded in a test e-mail can be different from the URL(s) available to the general public for that business. The URL(s) embedded in the test e-mails may also be different from each other. Such a system for providing an interactive response to direct marketing utilizing a URL is disclosed in U.S. Patent No. 5,793,972 to Shane. The entirety of U.S. Patent No. 5,793,972, entitled "SYSTEM AND
20 METHOD PROVIDING AN INTERACTIVE RESPONSE TO DIRECT MAIL BY CREATING PERSONALIZED WEB PAGE BASED ON URL PROVIDED ON MAIL PIECE", filed on May 3, 1996, is incorporated by reference herein as part of the present disclosure.

In another embodiment of the present invention, the test e-mails can include links
25 to Web sites having subject matter that is similar to that of the prospective postal mailing. A Web site can detect where a visitor has come from by, for example, reading the visitor's "cookies" stored in the visitor's user terminal. Thus, the Web sites whose links are embedded in the test e-mail are able to detect that the visitor has come from a link provided in the e-mail. The computer that maintains the Web site can record the number
30 of visitors that come to the Web site from the e-mail and then forward that information to the central server 100. Various methods of determining whether a recipient of an e-mail has responded to the e-mail are known to those skilled in the art and need not be discussed

in detail herein.

In one embodiment of the present invention, recipients of the test e-mails can be compensated for their response. This can increase the effectiveness of the subsequently selected postal mailing list because the recipient associates the business with money that they have earned/received previously. For the purposes of the present invention, the term “compensated” includes, but is not limited to, monetary payment or payment of perceived value points (e.g., frequent flyer miles).

Figure 2 is a schematic block diagram of central server 100 used to provide a mailing list test service, according to an embodiment of the present invention. The central server 100 includes processor 201 coupled to input device 203, and communications port 204. The central server 100 also includes data storage device 205. Data storage device 205 contains instructions adapted to be executed by processor 201 to perform at least one embodiment of a method of the present invention. For example, data storage device 205 can store instructions adapted to be executed by processor 201 to first send an e-mail to each of a subset of list members for each mailing list stored in mailing list database 202, then to receive at least one response to the sent e-mails, and to select a postal mailing list for use based on the received responses.

For the purposes of the present invention, data storage device 205 can include any medium capable of storing instructions adapted to be executed by a processor. Some examples of such media include, but are not limited to, floppy disks, CD-ROM, magnetic tape, hard disk, RAM, ROM, or any other device that can store computer-readable information. In one embodiment, the instructions are stored on the medium in a compressed and/or encrypted format. As used herein, the phrase “adapted to be executed by a processor” is meant to encompass instructions stored in a compressed and/or encrypted format, as well as instructions that have to be compiled or installed by an installer before being executed by the processor.

As shown in Figure 2, data storage device 205 stores a program 202a, mailing list database 202b, recipient database 202c, test database 202d, questions database 202e and transaction database 202f. Program 202a includes instructions for implementing the present invention, examples of which are described in detail with respect to Figures 9-12. For example, program 202a can implement a method for providing a mailing list test service involving a plurality of mailing lists, each mailing list including information about

a plurality of list members, to send a computer-based message, such as an e-mail, to each of a subset of list members for each mailing list in the plurality of mailing lists, receive at least one response based on the computer-based message, each received response being associated with a list member from a subset of list members, and selecting for use based on the responses, one of the plurality of mailing lists. The selected mailing list can be sold or leased for a direct-marketing mailing.

Mailing list database 202b is described in detail with respect to Figure 3. Recipient database 202c is described in detail with respect to Figure 4. Test database 202e and questions database 202e are described in detail with respect to Figures 5A and 5B.

Transaction database 202f, is described in detail in relation to Figures 6A and 6B.

In Figure 3, table 300 is representative of a portion of mailing list database 202b in accordance with an embodiment of the present invention. As shown in Figure 3, table 300 can contain a list identifier 320 that identifies a list. For each postal mailing list, additional information is provided in various fields that describe the list. Table 300 contains (i) a target industry field 322, which describes the industry within which the recipients included on the list have exhibited interest in; (ii) a list member age bracket field 324, which indicates a range of ages of the recipients included on the list; (iii) a list member geographical location field 326, which indicates the general location within which the recipients included on the list reside; (iv) a list member salary bracket field 328, which indicates a salary range of the recipients included on the list; and (v) a price field 330, which indicates the cost of the list for purchase or rental. For example, according to table 300 shown in Figure 3, list A pertains to a target industry of PC technology. The list members in list A are 18-25 years old, live in the northeastern United States, and earn between \$15,000 and \$30,000 per year. The price of list A is \$2,000.

In Figure 4, table 400 is a tabular representation of a portion of recipient database 202c according to an embodiment of the present invention. Table 400 contains contact information for each list member appearing on at least one of the postal-mailing lists offered by the central server 100 (Fig. 1). As shown in Figure 4, each recipient, that is, each person on a postal-mailing list to whom a test e-mail can be sent, is identified by a recipient identifier field 420, a recipient name field 422, a recipient postal address field 424, a recipient e-mail address field 426. In addition, the table 400 shown in Figure 4 includes the identifier of the list or lists to which a given recipient belongs, indicated in the

list identifier field 428. For example, John Doe is identified by his recipient identifier "12345". His postal address is 10 New St., Town USA, and his e-mail address is doe@aol.com. Finally, recipient John Doe is a list member of postal mailing list A and postal mailing list E.

5 Figure 5A is a record 500, representative of a record of test database 202d in accordance with an embodiment of the present invention. Record 500 includes, for each test identifier, identified in the test identifier field 502, (i) a recipient identifier field 504 that identifies the recipient who received this particular test e-mail; (ii) a mailing list identifier field 506 that identifies the mailing list from which the particular recipient was
10 chosen, and (iii) a response field 508, which indicates whether the recipient responded to the test e-mail (e.g., "Y" for yes, or "N" for no). In one embodiment of the present invention, a determination of the most successful mailing list can be made from this database by querying the record 500 for the number of the "Y" responses for each particular mailing list identifier.

15 According to another embodiment of the present invention, the test e-mail contains questions. In this embodiment, responses received by central server 100 (Fig. 1) include answers to the questions. The answers are subsequently extracted from the response and analyzed. A mailing list can be chosen based on either the response rate of a given list, or based on the answers supplied by the list members. For example, a mailing list can be
20 chosen based on the number of responses that include a predetermined answer or type of answer.

Another embodiment of the present invention provides for testing simplified product variations, thereby reducing marketing costs involved in product testing. Typically, businesses do not know the most effective layout, color scheme or information
25 content in a marketing brochure. To alleviate this problem, the present system can be used by a business to pre-test various versions of the postal mailing brochure before incurring the costs of printing such brochures.

As an example of this embodiment, the test e-mails can contain various versions, such as versions of a product brochure. The business can send one color scheme version
30 in one batch of test e-mails (i.e. one mailing list) and another color scheme in another batch. A mailing list, and thus a color scheme, can be selected based on the response to the various test e-mails. Alternatively, a mailing list may be created by aggregating

responses (e.g. favorable responses).

Other features that a business can pre-test via test e-mails include (i) the informational content of the postal mailing; (ii) the layout of the postal mailing; and (iii) other related products to be included in the postal mailing. When the results of test e-mails are available, the business will not only know which postal mailing is most effective for their product but also will gain some valuable insights into which version of the postal mailing brochure is predicted to be the most effective.

The business can also include in the test e-mails survey questions that elicit respondent feedback, such as what other kind of information the respondent might want to see in the postal mailing or what aspects of the test e-mail the respondent did or did not like. The business can gather and analyze these responses to refine the future postal mailings.

The e-mail testing system can pre-test variations of products and select the variation with the highest response rate or the most favorable response rate. For example, the design of a cereal box can be pre-tested in such a way. A manufacturer can design several different color schemes for the box, attach images of the designs to the test e-mails and send the test e-mails to a set of recipients. The design that receives the most responses or the most favorable responses is the one chosen by the manufacturer as a likely candidate for further enhancements and modifications to be tested via a postal mailing.

As another example, consider a business that sells novelty technology items. The business would like to buy/rent a mailing list and, based on their demographic requirements, the business has the option of buying or renting one of three mailing lists, A, B, or C. To determine which would be the most effective list for them to buy or rent, the business sends out a test e-mails, which contain a description of a new product from their latest catalog.

In this example, there can be two versions of the description, each containing a different picture of the item. Some of the test e-mails contain the first version and some of the test e-mails contain the second version. The central server 100 (Fig. 1) sends the test e-mails to a subset of each mailing list A, B, and C. Based on the responses to the e-mails, the system determines (i) which mailing list generated the most responses; and (ii) which version of the e-mail generated the most responses. Each e-mail sent out includes an indication of the mailing list that the recipient of the e-mail belongs to and the version of

the e-mail. Thus when the central server 100 (Fig. 1) receives a reply to the e-mail it is able to recognize and record the recipient and version. When the business receives the results of the test, they are able to select the most effective presentation of the product (e.g. which picture of the product generated the most responses) as well as the most effective mailing list for their type of product. In general, the test e-mails sent can have different content from one another.

Accordingly, the present invention may be utilized, via central server 100 (Fig. 1), to gather data from the responses and to determine the number of responses. In other words, the test e-mails can be used as questionnaires or surveys regarding (i) the product, or (ii) potential consumer concerns and/or preferences. Thus, when the responses to the test e-mails are received by central server 100 (Fig. 1), not only does the central server 100 (Fig. 1) tally the number of responses from each postal mailing list subset but it also accumulates the responses to the questions within the test e-mails and stores them for subsequent analysis. For example, a response to the test e-mails can include the rating of the content of the test e-mails, and a content preference rating can be determined and used to select the mailing list from the plurality of mailing lists. Using the responses received, and based on pre-selected criteria such as demographics or response rate, a custom postal-mailing list can be created.

As an example, assume a business is considering postal-mailing lists A, B, C, and D for rental. The business is also debating whether, on the one hand, to include a detailed description of their product in the catalog, or on the other hand, to present only high-level description of the product. Thus, when the central server 100 (Fig. 1) sends out test e-mails to the individuals of the subset of each potential mailing list, the e-mail will include a survey question that identifies which of the two descriptions are preferred. For example, the questionnaire can present two versions of a product description, one focused on technical description of the product and one focused on the high level description of the product. The questionnaire can include a request to indicate the preferred version of the product description. Once the business receives the results (possibly from the central server 100 (Fig. 1)), the business is able to determine not only which mailing list resulted in the most responses, but also which version of the product description the majority of the recipients preferred.

Figure 5B is a tabular representation of a portion of a test database record 550 and

two question database records 560 and 570. The records in Figure 5B can typically be used in an embodiment of the present invention in which the test e-mails are also used to collect feedback on the potential postal mailing. In the exemplary test database record 550 illustrated in Figure 5B, for a given test identified by a given test identifier 551, each recipient is identified by a unique recipient identifier 552. The postal-mailing list for which the recipient is a list member is identified with a mailing list identifier 554. The question sent to the recipient is identified with a question identifier 556 and the answer identifier included in the recipient's response to the test e-mail is stored in answer identifier 558. The answer identifier for a given entry is set to "N/A" until such a time as when an answer identifier is received from a recipient corresponding to the entry.

The questions database records 560 and 570 in Figure 5B are tabulated to show that, for each test identifier, mailing list identifier, and question sent in the test e-mail, an answer identifier and its corresponding answer is stored. In the example of Figure 5B, each of the test e-mails sent out from the various mailing list subsets contain the same two questions and corresponding answer choices. In other embodiments, the mailing list test can include different questions for each of the subsets.

In Figure 6A, table 600 is representative of a portion of an exemplary transaction database 202f that can be stored in data storage device 205 according to an embodiment of the present invention. As shown in Figure 6A, the transaction database 202f records each of the transactions (i.e. tests) performed by the central server 100. Specifically, the transaction database can store, for each business using the mailing list test service, a test identifier 620, a business identifier 622, a mailing list identifier 624, how many test e-mails were sent 626 for each mailing list identifier, how many responses were received 628 from the test e-mails, and the response rate 630 for that mailing list, or any subset of these categories. For example, business "111-222" sent, to 2,000 list members of postal mailing list A, a test identified by test identifier "0098". Twenty responses were received, giving a response rate of 1%. In addition, business "111-222" sent the same test to 2,000 members of postal mailing list E. Forty responses were received, giving a response rate of 2%.

In Figure 6B, table 650 is representative of a record of transaction database 202f in accordance with an alternate embodiment of the present invention. Table 650 may be used in the embodiment wherein the test e-mails are used to obtain feedback on the potential

content of the postal mailings. Table 650 can identify a transaction by the business identifier field 652 that identifies a business requesting the mailing list test service and the test identifier field 654 that identifies the test identifier used for each postal-mailing list examined. Specifically, in Table 650, postal-mailing lists were tested for a business identified by business identifier “222-333”. This test is identified by a test identifier “0099”. The test e-mails of Table 650 were sent to list members of mailing lists A, B and C, indicated by mailing list identifier field 664. Each test e-mail includes two questions, identified by question identifier field 666.

The two questions included in test “0099” are identified as “Q1” and “Q2”. The possible answers to each question “Q1” and “Q2” are identified in the answer identifier field 668. Question “Q1” has two possible answers, identified by answer identifiers “A1” and “A2”, respectively. Question Q2 has two possible answers, identified by answer identifier A3 and A4, respectively. The test e-mails were sent to 2,000 recipients of each mailing list A, B, and C, as indicated in the Number Sent field 670. The number of responses received for each answer choice within each mailing list is indicated in the Number of Responses field 672. The response rate for each answer choice within each mailing list is indicated in the Answer Response Rate For Mailing List field 674. For example, 20 recipients of mailing list A responded to question “Q1” with answer choice “A1”, therefore the response rate for mailing list A, answer “A1” is 1.0% $((20/2000) * 100 = 1.0)$. The total response rate for each mailing list is indicated in the Total Mailing List Response Rate field 676. For example, thirty-four recipients of mailing list A responded to the test e-mail, as indicated by the total number of responses for each question within each mailing list (i.e. for mailing list A, 20 recipients selected answer choice A1 for Q1 and 14 recipients selected answer choice A2 for Q1, resulting in a total of 34 responses to Q1). Thus the total response rate for mailing list A is 1.7% $((34/2000) * 100 = 1.7)$.

Table 650 also contains the total response rate for each answer choice, regardless of the mailing list associated with it. The total response rate for answer A1, A2, A3, and A4 is indicated in Answer Identifier/Response Rate fields 656, 658, 660, and 662, respectively. For example, the total response rate for answer A1 was 1.2%. That is, for the 6,000 recipients who received Q1 (2,000 recipients for each of the three mailing lists A, B, and C), seventy-four selected answer choice A1 (20 recipients from mailing list A + 18 recipients from mailing list B + 36 recipients from mailing list C = 74 recipients). That

results in a total response rate of 1.2% for answer choice A1 $((74/6000) * 100 = 1.2)$.

The information presented in Table 650 may be utilized by a business in deciding on the content of the postal mailing to be sent out based on the results of the test e-mails. For example, let's say that Q1 comprised the question "Which layout do you prefer?" and answer choice A1 comprised a first potential layout and answer choice A2 comprised a second potential layout. The results of the test "0099" indicate that the majority of recipients preferred the first potential layout, since A1 had a higher response rate than A2. Alternatively, referring to the same example, the business may choose to utilize the results from each mailing list individually. For example, the business may choose to send a postal mailing to recipients of all three mailing lists A, B, and C, but to include different layout for the recipients of the respective mailing lists. In such a scenario, mailing list A recipients will receive the A1 layout, since the majority of mailing list A recipients preferred the layout corresponding to A1. Mailing list B recipients will receive the A2 layout, since the majority of mailing list A2 recipients preferred the layout corresponding to A2. Similarly, mailing list C recipients will receive the A1 layout, since the majority of mailing list C recipients preferred the layout associated with A1. In this manner, a business may maximize the potential response rate to a postal mailing.

Figures 7, 8, 9 and 10 are flow charts illustrating methods of preparing a mailing list test and analyzing and using the results. As shown in Figure 7, at step 701, a plurality of postal mailing list selections is received. These postal-mailing lists can be stored in a postal-mailing list database. At step 702, a subset of list members of each of the plurality of postal mailing lists is determined. This determination can occur at random, or in a predefined manner (e.g., the first 100 list members from each list are selected). A test e-mail is then sent, at step 703, to each recipient included in the determined subsets. As discussed above, the test e-mails can all have the same content, or can have content different from one another. For example, each test e-mail can be the same advertisement for a product, or one or more test e-mail can be a different advertisement for a product from the other test e-mails. Each test e-mail can contain the same question, or one or more test e-mails can contain a different question from the other test e-mails.

At step 704, responses to the test e-mails are received. These responses will typically be fewer than the number of test e-mails that were sent. At step 705, a response rate is determined for each subset of test e-mails. The subset with the highest response

rate is then selected at step 706, and its associated postal mailing list is queued for mailing. Note that at step 706, depending on the response received, a subset can be chosen based on responses weighted by demographics using a demographic identifier. Likewise, a subset can be chosen based on any generalized function of the responses received, including the content of the responses.

Figure 8 is a flowchart depicting a method of creating an e-mail test according to an embodiment of the present invention. As shown in Figure 8, e-mail content is received in step 801. E-mail content can include questions, pictures, questionnaire layout, etc. At step 802, a postal-mailing list selection is received, and which test is to be sent, identified by a test identifier, is determined at step 803. At step 804, a subset of list members for each selected postal-mailing list is identified. A new record is then created in the test database at step 805. The new record is based on the test identifier. In addition, in this step, all respondent identifiers corresponding to a mailing list identifier are stored.

At step 806, the e-mail address for each respondent of each subset is determined, and the test e-mails are prepared at step 807. Finally, at step 808, the test e-mails are transmitted to the appropriate respondents based on the e-mail address.

The step of preparing test e-mails can comprise combining the e-mail content received in step 801 and the test identifier determined at step 803, respectively, with (i) the respondent e-mail address, (ii) the respondent identifier, and (iii) the mailing list identifier or identifiers corresponding to each respondent. In one embodiment of the present invention, the process illustrated in Figure 8 can utilize the test database of Figure 5A. For example, the test identifier determined at step 803 can refer to a recipient identifier, a mailing list identifier and a response. In another embodiment of the present invention, this process can utilize the test database of Figure 5B. In other words, aside from a recipient identifier, the test identifier determined in step 803 can refer to, aside from a recipient identifier, a mailing list identifier, a question identifier, and an answer identifier. In one embodiment, the step of preparing the test e-mails can also include attaching the appropriate questions from the question database, based on the test identifier, to the test e-mails.

Figure 9 is a flowchart of a method of receiving a response to a test e-mail according to an embodiment of the present invention. As can be seen in this figure, a response to a test e-mail is received at step 901. Once the response is received, the various

identifying parameters of the test e-mail can be determined. At step 902, the e-mail's test identifier is determined. At step 903, the e-mail's respondent identifier is determined. A record is then retrieved from the test database at step 904. The record retrieved is based on the test identifier. The response is then marked in the database at step 905. In one embodiment of the present invention, the response is marked in the database by changing the response corresponding to the recipient identifier to "Y." In one embodiment of the present invention, this process would use the test database of Figure 5A. For example, the test identifier received at step 904 can refer to a recipient identifier, a mailing list identifier, and a response. In another embodiment of the present invention, this process can utilize the test database of figure 5B. In other words the test identifier received in step 904 can refer to, a mailing list identifier, a question identifier, and an answer identifier aside from a recipient identifier.

Figure 10 is a flowchart of a method of analyzing the results of the e-mail test and selecting the most effective postal mailing list to use according to an embodiment of the present invention. At step 1001, it is determined whether the test is completed. This determination can be made, for example, by limiting the amount of time for response and then determining whether that amount of time has elapsed.

At step 1002, the responses for each mailing list are totaled, and at step 1003, the appropriate record is retrieved from the transaction database. The appropriate record is identified based on a test identifier received in the response. The total number of responses for each mailing list are stored at step 1004. At step 1005, the response rate of each mailing list is calculated corresponding to the test identifier based on the number of test e-mails sent and the number of responses received. The mailing list corresponding to the test identifier with the highest response rate is then selected at step 1006. At step 1007, that mailing list is queued for the postal-mailing process.

The present invention is not limited to the variations described herein. Other variations will be apparent to one of ordinary skill in the art. For example, in another embodiment of the present invention a system and method is provided for creating a custom postal mailing list based on responses to test e-mails. In this embodiment, rather than using test e-mails to predict the response rate of an existing postal mailing list, the test e-mails are used to create a custom postal mailing list. To do this, a number of postal mailing lists are chosen, subsets of recipients are chosen from each, and a test e-mail is

sent to each recipient. The identities of the respondents to each of the e-mails are determined and a postal mailing list is compiled from the responsive recipient identities and retrieved postal addresses associated with each.

As an example of this embodiment, assume postal mailing list A contains
5 individuals 1 through 1000, postal-mailing list B contains individuals 1001 through 2000,
and postal-mailing list C contains individuals 2001 through 3000. The first 100
individuals out of each mailing list are selected as the subsets for the test e-mail (i.e.
individuals 1 through 1000, 1001 through 1101, and 2001 through 2101). Assume in this
example that individuals 10 through 20, 60 through 90, 1080 through 1090, 2006 through
10 2016, and 2065 through 2080 respond to the e-mail). Based on these responses, a new
Mailing List D is created that contains individuals 10 through 20, 60 through 90, 1080
through 1090, 2006 through 2016, and 2065 through 2080. The postal mailing can then be
sent out to the individuals on postal-mailing list D.

Thus, as shown above in the various embodiments and examples, the various
15 problems in the prior art are overcome by the present invention. In particular, the present
invention, as described above, provides an efficient and cost effective way of testing,
selecting and creating a mailing list that is appropriate to a business's needs.

The present invention has been described in terms of several embodiments solely
for the purpose of illustration. Persons skilled in the art will recognize that the invention is
20 not limited to the embodiments described, but can be practiced modifications and
alterations limited only by the spirit and scope of the appended claims.

WHAT IS CLAIMED IS:

1. A method for providing a mailing list test service involving a plurality of mailing lists, each mailing list including information about a plurality of list members, the method comprising:

- (a) sending, for each mailing list in the plurality of mailing lists, an e-mail message to each of a subset of list members;
- (b) receiving at least one response based on an associated e-mail message sent in (a), each received response being associated with a list member from a subset of list members; and
- (c) selecting for use, based on the at least one response received in (b), one of the plurality of mailing lists.

2. The method of claim 1, further comprising:

- (d) selling the mailing list selected in (c).

3. The method of claim 1, further comprising:

- (d) renting to another the mailing list selected in (c).

4. The method of claim 1, further comprising:

- (d) mailing information to list members of the mailing list selected in (c).

5. The method of claim 1, wherein said sending an e-mail message in (a) includes:

- (i) sending, for a first mailing list in the plurality of mailing lists, a first e-mail message to a first member of the subset; and
- (ii) sending, for the first mailing list in the plurality of mailing lists, a second e-mail message to a second member of the subset

wherein the first e-mail message includes content different from the second e-mail message.

1 6. The method of claim 5, further comprising:

2 (d) storing the at least one response received in (b).

1 7. The method of claim 5, wherein at least one of the plurality of mailing lists
2 contains a first set of mailing list content, and another of the plurality of mailing
3 lists contains a second set of content, and wherein said selecting in (c) includes
4 selecting at least one of the plurality of mailing lists based on mailing list content
5 included in the e-mail messages sent in (a).

1 8. The method of claim 1, wherein the at least one response received in (b) includes,
2 for each received response, a test identifier and a member identifier, and comprising the
3 further steps of:

4 (d) retrieving a test record from a test database based on the received
5 test identifier; and

6 (e) updating the retrieved test record to disclose, based on the received
7 member identifier, that a response was received from a member associated
8 with the member identifier.

1 9. The method of claim 8, wherein the at least one response received in (b) further
2 includes a question identifier and an answer identifier.

1 10. The method of claim 7, wherein said selecting one of the plurality of mailing lists
2 includes selecting based on the received question identifier and the received
3 answer identifier.

1 11. The method of claim 1, wherein said selecting one of the plurality of mailing lists
2 includes:

3 (i) determining a response rate of each of the plurality
4 of mailing lists; and

5 (ii) selecting the mailing list that has a response rate
6 higher than the response rates of the other mailing lists.

1 12. The method of claim 1, wherein said receiving at least one response based on an
2 associated e-mail message includes detecting a response to the e-mail message
3 based on the use of a uniform resource locator embedded in the e-mail message.

1 13. The method of claim 1, wherein a list member associated with a received response
2 is compensated for the response.

1 14. An apparatus for providing a mailing list test service, comprising:

2 (a) a processor;

3 (b) a database including a plurality of mailing lists, each mailing list
4 having information about a plurality of list members;

5 (c) a port coupled to said processor; and

6 (d) a memory including a database, said memory coupled to said
7 processor, and said memory storing instructions adapted to be executed by
8 said processor, the instructions including:

9 (i) sending, for each mailing list in the plurality of
10 mailing lists, an e-mail message to each of a subset of list members;

11 (ii) receiving at least one response based on an
12 associated e-mail message sent in (a), each received response being
13 associated with a list member from a subset of list members; and

14 (iii) selecting for use, based on the at least one response
15 received in (b), one of the plurality of mailing lists.

1 15. The apparatus of claim 14, wherein said memory stores further instructions
2 adapted to be executed by said processor, said further instructions including:

3 (iv) selling the mailing list selected in (iii).

1 16. The apparatus of claim 14, wherein said memory stores further instructions
2 adapted to be executed by said processor, said further instructions including:

3 (iv) renting to another the mailing list selected in (iii).

1 17. The apparatus of claim 14, wherein said memory stores further instructions

2 adapted to be executed by said processor, said further instructions including:

- 3 (iv) mailing information to members of the mailing list
4 selected in (iii).

1 18. The apparatus of claim 14, wherein the instructions to send an e-mail message
2 include instructions adapted to be executed by a processor to:

3 send, for a first mailing list in the plurality of mailing lists, a first e-mail
4 message to a first member of the subset; and

5 send, for the first mailing list in the plurality of mailing lists, a second e-
6 mail message to a second member of the subset, wherein the first e-mail message
7 includes content different from the second e-mail message.

1 19. The apparatus of claim 18, said memory storing further instructions adapted to be
2 executed by said processor, the instructions including:

- 3 (iv) storing the at least one response received in (ii).

1 20. The apparatus of claim 18, wherein one of the plurality of mailing lists contains a
2 first set of mailing list content, and another of the plurality of mailing lists contains
3 a second set of mailing list content, and wherein selecting in (iii) includes selecting
4 one of the plurality of mailing lists based on mailing list content included in the e-
5 mail messages sent in (i).

1 21. The apparatus of claim 20, wherein selecting in (iii) further includes:

- 2 (i) determining a response rate of each of the plurality
3 of mailing lists; and
4 (ii) selecting a mailing list from the plurality of mailing
5 lists that has a response rate higher than the response rate of the
6 other mailing lists.

1 22. The apparatus of claim 13, said database including a mailing list database
2 containing a member identifier, a test database containing a test identifier, a
3 questions database, an answer database, and said memory storing further

instructions adapted to be executed on said processor, the further instructions including:

(iv) retrieving a test record from the test database based on a received test identifier; and

(v) marking the retrieved test record to disclose, based on the member identifier, that a response was received from a list member associated with the member identifier.

23. The apparatus of claim 22, wherein the test database contains a question identifier and an answer identifier.

24. The apparatus of claim 13, wherein instructions to select a mailing list from the plurality of mailing lists include instructions to:

determine the response rate of each of the plurality of mailing lists; and
select the mailing list with the highest response rate.

25. The apparatus of claim 13, wherein said receiving at least one response based on an associated e-mail message includes detecting a response to the e-mail message based on the use of a URL embedded in the e-mail message.

26. The apparatus of claim 13, wherein a list member associated with a received response is compensated for the response.

27. A medium storing instruction adapted to be executed by a processor to provide a mailing list test service for a plurality of mailing lists, each mailing list including information about a plurality of list members, said instructions comprising:

- (a) sending, for each mailing list in the plurality of mailing lists, an e-mail message to each of a subset of list members;
- (b) receiving at least one response based on an associated e-mail message sent in (a), each received response being associated with a list member from a subset of list members; and
- (c) selecting for use, based on the at least one response received in (b),

10 one of the plurality of mailing lists.

1 28. The medium of claim 27 storing further instructions adapted to be executed by a
2 processor, said further instructions comprising:

3 (d) selling the mailing list selected in (c).

1 29. The medium of claim 27 storing further instructions adapted to be executed by a
2 processor, said further instructions comprising:

3 (d) renting to another the mailing list selected in (c).

1 30. The medium of claim 27 storing further instructions adapted to be executed by a
2 processor, said further instructions comprising:

3 (d) mailing information to members of the mailing list selected in (c).

1 31. The medium of claim 27, wherein the instructions to send an e-mail message in (a)
2 include further instructions adapted to be executed by a processor to:

3 (i) send, for a first mailing list in the plurality of mailing
4 lists, a first e-mail message to a first member of the subset; and

5 (ii) send, for the first mailing list in the plurality of
6 mailing lists, a second e-mail message to a second member of the
7 subset,

8 wherein the first e-mail message includes content different from the second e-mail
9 message.

1 32. The medium of claim 31, said medium storing further instructions adapted to be
2 executed by a processor to store the at least one response received in (b).

1 33. The medium of claim 31, wherein one of the plurality of mailing lists contains a
2 first set of mailing list content, and another of the plurality of mailing lists contains
3 a second set of content, and wherein said selecting in (c) includes selecting one of
4 the plurality of mailing lists based on mailing list content in the e-mail messages
5 sent in (a).

1 34. The medium of claim 33, wherein said selecting in (c) further includes:
2 (i) determining a response rate of each of the plurality
3 of mailing lists; and
4 (ii) selecting the mailing list that has a response rate
5 higher than the response rate of the other mailing lists.

1 35. The medium of claim 27, wherein the response received in (b) includes, for each
2 received response, a test identifier and a member identifier, and wherein the
3 medium includes further instructions adapted to be executed by a processor, said
4 further instructions comprising:
5 (d) retrieving a test record from a test database based on the received
6 test identifier; and
7 (e) marking the retrieved test record to disclose, based on the received
8 member identifier, that a response was received from a member associated
9 with the member identifier.

1 36. The medium of claim 35, wherein said instructions to receive a response to the e-
2 mail message include instructions to:
3 (i) receive a question identifier; and
4 (ii) receive an answer identifier.

1 37. The medium of claim 36, wherein the selection in (c) includes selecting based on
2 the received question identifier and the received answer identifier.

1 38. The medium of claim 27, wherein said instructions to select a mailing list include
2 instructions to:
3 (i) determine the response rate of each of the plurality of
4 mailing lists; and
5 (ii) select the mailing list that has the highest response
6 rate.

1 39. A system for providing a mailing list test service involving a plurality of mailing

2 lists, each mailing list including information about a plurality of list members, the
3 system comprising:

- 4 (a) means for sending, for each mailing list in the plurality of mailing
5 lists, an e-mail message to each of a subset of list members;
6 (b) means for receiving at least one response based on an associated e-
7 mail message sent in (a), each received response being associated with a list
8 member from a subset of list members; and
9 (c) means for selecting for use, based on the at least one response
10 received in (b), one of the plurality of mailing lists.

1 40. The system of claim 39, further comprising:

- 2 (d) means for selling the mailing list selected in (c).

1 41. The system of claim 39, further comprising:

- 2 (d) means for renting to another the mailing list selected in (c).

1 42. The system of claim 39, further comprising:

- 2 (d) means for mailing information to list members of the mailing list
3 selected in (c).

1 43. The system of claim 39, wherein said means for sending an e-mail message in (a)
2 includes:

- 3 (i) means for sending, for a first mailing list in the
4 plurality of mailing lists, a first e-mail message to a first member of
5 the subset; and
6 (ii) means for sending, for the first mailing list in the
7 plurality of mailing lists, a second e-mail message to a second
8 member of the subset, wherein the first e-mail message includes
9 content different from the second e-mail message.

1 44. The system of claim 39, further comprising:

- 2 (d) means for storing the at least one response.

1 45. The system of claim 44, wherein one of the plurality of mailing lists contains a first
2 set of mailing list content, and another of the plurality of mailing lists contains a
3 second set of mailing list content, and wherein said means for selecting includes
4 means for selecting one of the plurality of mailing lists based on mailing list
5 content included in sent computer based messages.

1 46. The system of claim 45, wherein said means for selecting further includes:

2 (i) means for determining a response rate of each of the
3 plurality of mailing lists; and

4 (ii) means for selecting the mailing list that has a
5 response rate higher than the response rate of the other mailing lists
6 of the plurality of mailing lists.

1 47. The system of claim 39, wherein the at least one response received in (b) includes,
2 for each received response, a test identifier and a member identifier, and further
3 comprising:

4 (d) means for retrieving a test record from a test database based on the
5 received test identifier; and

6 (e) means for marking the retrieved test record to disclose, based on the
7 received member identifier, that a response was received from a member
8 associated with the member identifier.

1 48. The system of claim 47, wherein the at least one response received in (b) further
2 includes a question identifier and an answer identifier.

1 49. The system of claim 48, wherein said means for selecting one of the plurality of
2 mailing lists includes means for selecting based on the received question identifier
3 and the received answer identifier.

1 50. The system of claim 49, wherein said means for selecting one of the plurality of
2 mailing lists includes:

3 (i) means for determining a response rate of each of the

4 plurality of mailing lists; and

5 (ii) means for selecting the mailing list that has the
6 highest response rate.

1 51. A method for creating a custom mailing list, comprising:

2 (a) receiving preselected criteria;

3 (b) sending an e-mail message to a plurality of recipients;

4 (c) receiving at least one response based on an associated e-mail
5 message, each received message being associated with one of the plurality
6 of recipients; and

7 (d) creating, based on the at least one response received in (c) and the
8 preselected criteria received in (a), a mailing list.

1 52. The method of claim 51, wherein the preselected criteria received in (a) includes a
2 response rate.

1 53. The method of claim 51, wherein the e-mail message sent in (b) is a telephone
2 message.

1 54. The method of claim 51, wherein the at least one response received in (c) includes
2 a test identifier and a member identifier.

1 55. The method of claim 51, wherein the at least one response received in (c) includes
2 a question identifier and an answer identifier.

1 56. A method for customizing message content, comprising:

2 (a) receiving list criteria;

3 (b) sending an e-mail message to a plurality of recipients;

4 (c) receiving at least one response based on an associated e-mail
5 message, each received message being associated with one of the plurality
6 of recipients; and

7 (d) choosing, for a mailing list, message content based on the at least
8 one response received in (c), and the list criteria received in (a).

1 57. The method of claim 56, wherein the list criteria received in (a) includes a response
2 rate.

1 58. The method of claim 56, wherein the at least one response received in (c) includes
2 a test identifier and a member identifier.

1 59. The method of claim 56, wherein the at least one response received in (c) includes
2 a question identifier and an answer identifier.

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ABSTRACT

A mailing list test service is disclosed that involves a plurality of mailing lists, each mailing list including information about a plurality of list members. The service includes
5 sending an e-mail message to each of a subset of list members. At least one response is received, and one of the lists is selected for use based on the received responses.

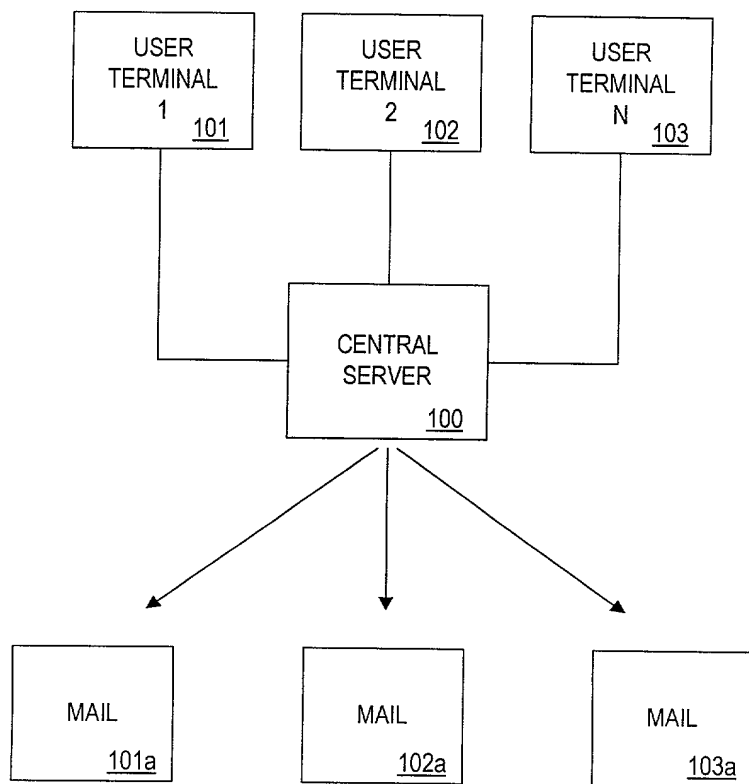


FIG. 1

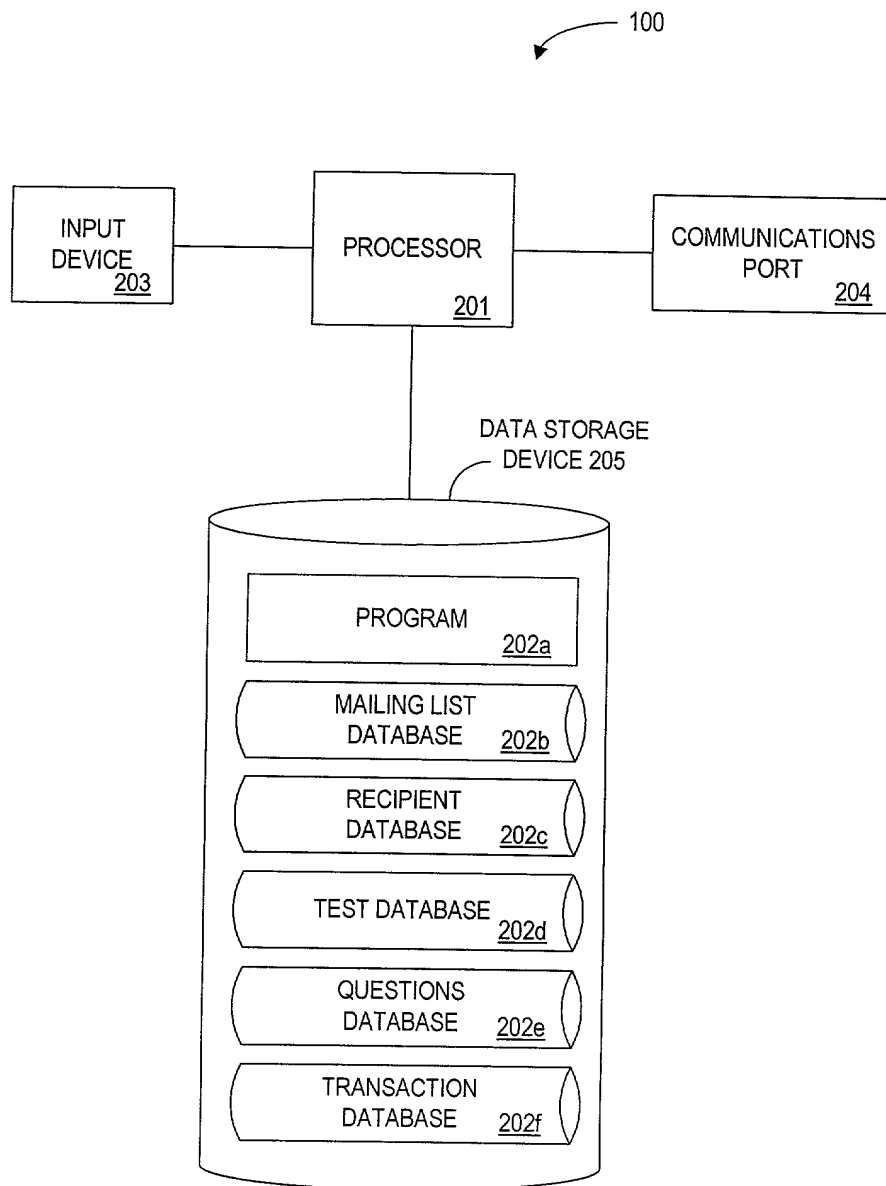


FIG. 2

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LIST IDENTIFIER 320	TARGET INDUSTRY 322	AGE BRACKET 324	GEOGRAPHICAL AREA 326	SALARY BRACKET 328	PRICE 330
A	PC TECHNOLOGY	18 - 25	NE U.S.	\$15,000 - \$30,000	\$2,000.00
B	AUTOMOTIVE - SUV	30 - 42	MIDWEST U.S.	\$50,000 - \$75,000	\$4,000.00
C	NON-PROFIT ORGANIZATION (ENV)	25 - 35	S. CALIFORNIA	\$35,000 - \$45,000	\$3,000.00
D	MAC USERS	30 - 42	ALL U.S.	\$75,000 - \$100,000	\$4,000.00
E	PC SOFTWARE	18 - 25	ALL U.S.	\$18,000 - \$35,000	\$2,500.00
F	AUTOMOTIVE - NEW CAR BUYERS	25 - 35	ALL U.S.	\$45,000 - \$65,000	\$3,000.00

FIG. 3

400

RECIPIENT IDENTIFIER 420	RECIPIENT NAME 422	RECIPIENT POSTAL ADDRESS 424	RECIPIENT E-MAIL 426	LIST IDENTIFIER(S) 428
12345	JOHN DOE	10 NEW ST. TOWN, USA	DOE@AOL.COM	A ; E
23456	SUE GREEN	15 LONG RD. CITY, USA	SUE.GREEN@ JUNO.COM	B
34567	BOB LOU	80 CURVING LN. FARM, USA	BOBBY@ SURFREE.COM	B ; F
45678	BILL LEE	20 ROUND CIR. PLAINS, USA	BLEE@ SNET.NET	D
56789	ANN SMITH	100 WIDE BLVD. METRO, USA	ANNS@AOL.COM	C

FIG. 4

500

TEST IDENTIFIER: 0098		
502		
RECIPIENT IDENTIFIER 504	MAILING LIST IDENTIFIER 506	RESPONSE 508
12345	A	Y
23456	D	Y
34567	B	N
34567	F	Y
56789	C	Y
67890	A	N
67890	E	N

FIG. 5A

550

TEST IDENTIFIER: 0099			
RECIPIENT IDENTIFIER 552	MAILING LIST IDENTIFIER 554	QUESTION IDENTIFIER 556	ANSWER IDENTIFIER 558
12345	A	Q1	A1
12345	A	Q2	A3
23456	B	Q1	A1
23456	B	Q2	A3
34567	B	Q1	A1
34567	B	Q2	A3
45678	C	Q1	N/A
45678	A	Q1	N/A
45678	A	Q2	N/A

560

TEST IDENTIFIER 0099	
MAILING LIST IDENTIFIER: A11	
QUESTION IDENTIFIER: Q1	
QUESTION: "WHICH COLOR COMBINATION DO YOU PREFER?"	
ANSWER IDENTIFIER	ANSWER
A1	RED / YELLOW
A2	BLUE / BLACK

570

TEST IDENTIFIER 0099	
MAILING LIST IDENTIFIER: A11	
QUESTION IDENTIFIER: Q2	
QUESTION: "WHAT TYPE OF INFORMATION ARE YOU MOST INTERESTED IN?"	
ANSWER IDENTIFIER	ANSWER
A3	HIGH LEVEL OVERVIEW
A4	DETAILED DESCRIPTION

FIG. 5B

600

TEST IDENTIFIER 620	BUSINESS IDENTIFIER 622	MAILING LIST IDENTIFIER 624	NUMBER SENT 626	NUMBER OF RESPONSES 628	RESPONSE RATE 630
0098	111-222	A	2,000	20	1%
0098	111-222	E	2,000	40	2%
0100	222-333	B	1,500	23	1.5%
0100	222-333	F	1,800	6	0.3%
0102	333-444	A	3,000	15	0.5%
0102	333-444	D	2,400	25	1.04%
0102	333-444	E	2,800	40	1.4%

FIG. 6A

TEST IDENTIFIER:0099							652
BUSINESS IDENTIFIER: 222-333							654
ANSWER IDENTIFIER; TOTAL RESPONSE RATE: A1; 1.2%							656
ANSWER IDENTIFIER; TOTAL RESPONSE RATE: A2; 0.97%							658
ANSWER IDENTIFIER; TOTAL RESPONSE RATE: A3; 1.0%							660
ANSWER IDENTIFIER; TOTAL RESPONSE RATE :A4; 1.2%							662
MAILING LIST IDENTIFIER	QUESTION IDENTIFIER	ANSWER IDENTIFIER	NUMBER SENT	NUMBER OF RESPONSES	ANSWER RESPONSE RATE FOR MAILING LIST	TOTAL MAILING LIST RESPONSE RATE	
664	666	668	670	672	674	676	
A	Q1	A1	2,000	20	1.0%	1.7%	
	Q1	A2		14	0.7%		
	Q2	A3		2	0.1%		
	Q2	A4		32	1.6%		
B	Q1	A1	2,000	18	0.9%	2.1%	
	Q1	A2		24	1.2%		
	Q2	A3		20	1.0%		
	Q2	A4		22	1.1%		
C	Q1	A1	2,000	36	1.8%	2.8%	
	Q1	A2		20	1.0%		
	Q2	A3		40	2.0%		
	Q2	A4		16	0.8%		

FIG. 6B

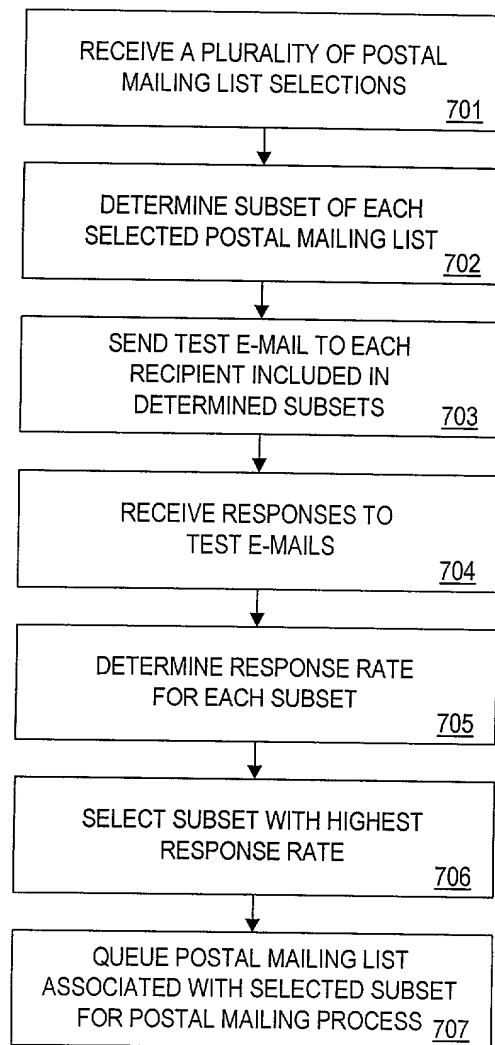


FIG. 7

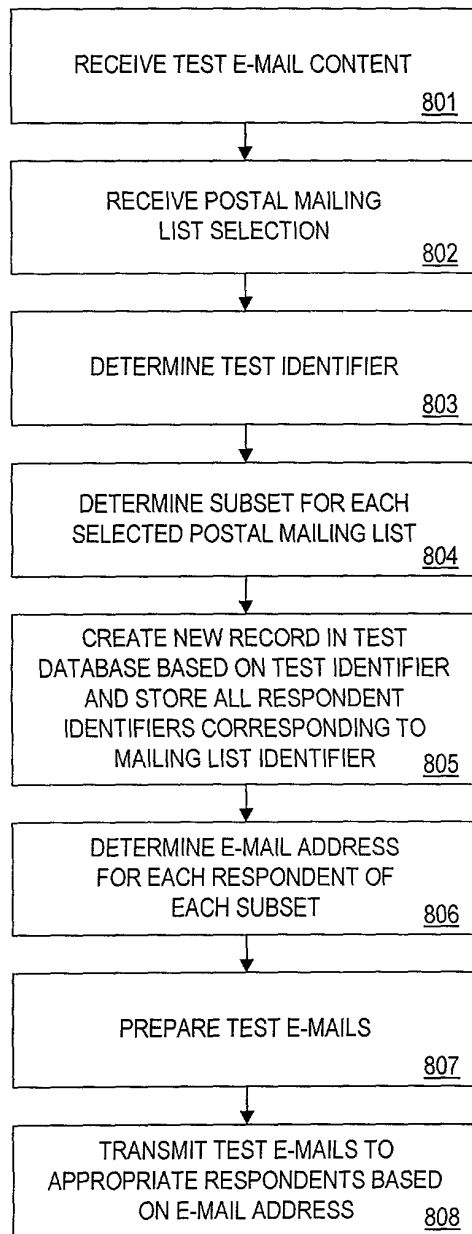


FIG. 8

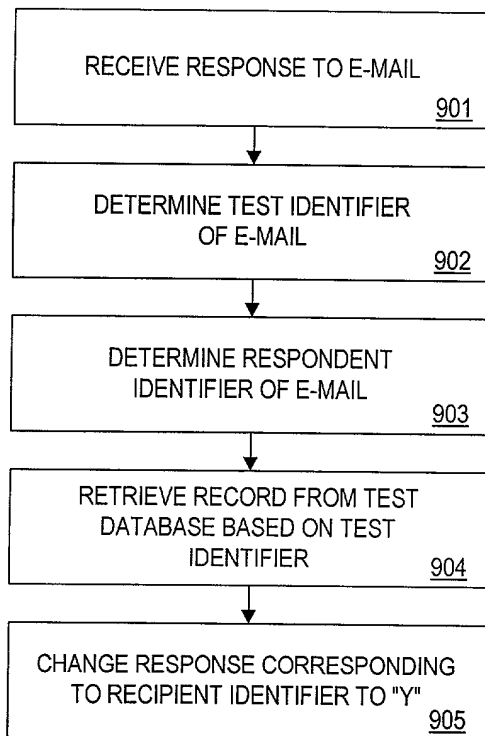


FIG. 9

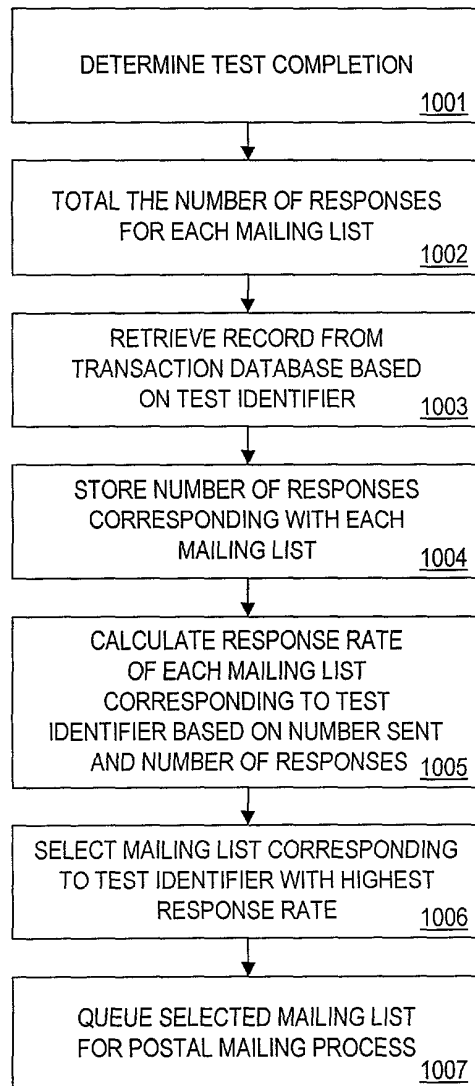


FIG. 10

Docket No.
WD2-98-092

Declaration and Power of Attorney For Patent Application

English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

SYSTEM AND METHOD FOR MAILING LIST TESTING SERVICE

the specification of which

(check one)

☒ is attached hereto.

☐ was filed on _____ as United States Application No. or PCT International Application Number _____ and was amended on _____ (if applicable)

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign application(s) for patent or inventor's certificate, or Section 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s)

Priority Not Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	<input type="checkbox"/>

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U. S. C. Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, C. F. R., Section 1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application:

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)
(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. *(list name and registration number)*

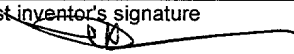
Dean Alderucci - PTO Reg. No. 40,484

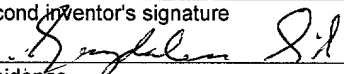
Jeffrey L. Brandt - PTO Reg. No. 31,490

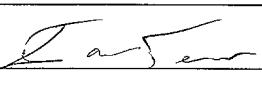
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Post Office Address Same as above	

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Full name of fifth inventor, if any
Fifth inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____

Full name of sixth inventor, if any
Sixth inventor's signature _____ Date _____
Residence _____
Citizenship _____
Post Office Address _____